

SENATE BILL 3417
By Jackson

AN ACT to amend Tennessee Code Annotated, Title 71,
relative to TennCare pharmacy services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated Title 71, Chapter 5, Part 1, is amended by
inserting the following as a new, appropriately designated section thereto:

(a) The bureau of TennCare shall provide coverage for prescription drugs or their
less costly over-the-counter equivalents, if any, without regard to any numerical limit
imposed by other law or regulation, if:

(1) Such drug therapy is prescribed as part of a program of disease
management; or

(2)

(A) The patient is not eligible to participate in a disease management
program that covers the disease for which a drug is being prescribed, and the
prescriber certifies that the prescribed drug is:

(i) Necessary to protect the life or safety of the patient; or

(ii) Likely to be cost-effective, taking into account the risk to
TennCare of incurring other direct or indirect expenses if the patient is
denied the prescribed drug therapy.

(B) The bureau of TennCare may promulgate guidelines for prescribers to
follow when making the certifications required by this section.

(b) The comptroller shall submit a report to the speaker of the senate and the
speaker of the house of representatives and to the chairs of the fiscal review committee

of the general assembly and the TennCare oversight committee of the general assembly by January 31, 2007. The report shall provide the following information:

(1) The number of persons receiving prescription drugs authorized by this section;

(2) The types of drugs dispensed pursuant to this section;

(3) The cost of drugs authorized by this section; and

(4) The estimated savings, through the prevention of increases in other medical expenses, resulting from the dispensing of drugs pursuant to this section.

(c) This section shall expire on July 1, 2007, unless reauthorized by the general assembly.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.